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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,400	03/12/2004	Jens Hamann	HAMANN-6	7148
20151	7590	08/25/2006	EXAMINER	
HENRY M FEIEREISEN, LLC 350 FIFTH AVENUE SUITE 4714 NEW YORK, NY 10118			FREJD, RUSSELL WARREN	
			ART UNIT	PAPER NUMBER
			2128	

DATE MAILED: 08/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/800,400

Applicant(s)

HAMANN, JENS

Examiner

Russell Frejd

Art Unit

2128

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3.12.04</u> . | 6) <input type="checkbox"/> Other: _____ |

In re Application of: Hamann

Examination of Application #10/800,400

- 1.** Claims 1-10 of application 10/800,400, filed on 12-March-2004, are presented for examination.

Claim Rejections under 35 U.S.C. § 102

- 2.** The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- 2.1** Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Kudo et al., hereinafter Kudo, U.S. Patent Application Publication US 2002/0193972.

- 2.2** Kudo disclosed the invention as claimed, including:

Claim 1: A visualization system [Fig. 8] for a machine-tool or production machine, comprising: a measuring and simulation system operatively connected to the machine-tool or production machine [sec. 0104], said measuring and simulation system simulating a desired response of the machine-tool or production machine using simulation parameters and measuring an actual response of the machine-tool or production machine with the simulation parameters [sec. 0106]; and a single display screen for visualizing the desired response and the actual response simultaneous side-by-side on the single display screen [sec. 0107].

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Claim 2: the measuring and simulation system is operatively connected to the machine-tool or production machine by a data link [Fig. 7, sec. 0103].

Claim 3: the measuring and display system is implemented as an integral system component of the machine-tool or production machine [sec. 0100].

Claim 4: the measured actual response is transmitted via the data link in form of analog data [sec. 0100, especially the plurality of sensor data].

Claim 5: A method for visualizing [Fig.8] a simulated and measured response from a machine-tool or production machine, comprising the steps of: simulating a response from the machine-tool or production machine [sec. 0106]; determining characteristic parameters associated with the simulated response [sec. 0098]; setting control parameters of the machine-tool or production machine based on the determined characteristic parameters [sec. 0099]; measuring an actual machine response obtained with the control parameters [sec. 0099]; and displaying the simulated response and the measured actual response simultaneously side-by-side [sec. 0107].

Claim 6: the characteristic parameters are selected from the group consisting of rotation speed control parameters, position control parameters, travel paths of workpieces, frequency responses, transfer functions and step responses [sec. 0100].

Claim 7: the simulated response and the measured actual response comprises an amplitude-frequency response of the machine-tool or production machine [sec. 0100, see mechanically generate signals, and microphones].

Claim 8: A measuring and simulation system for a machine-tool or production machine, wherein measurement and simulation results are visualized simultaneously side-by-side on a common monitor display screen [sec. 0107].

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Claim 9: the measurement results are transmitted from the machine-tool or production machine to the measuring and simulation system via a data bus system or a data network [sec. 0096].

Claim 10: the measurement results are analog data [sec. 0100, especially the plurality of sensor data].

Response Guidelines

#. A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the date of this letter. Failure to respond within the period for response will cause the application to become abandoned (see MPEP 710.02, 710.02(b)).

#. **Any response to the Examiner in regard to this non-final action should be**

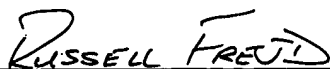
directed to: Russell Frejd, telephone number (571) 272-3779, Monday-Friday from 0530 to 1400 ET, **or** the examiner's supervisor, Kamini Shah, telephone number (571) 272-2279. Inquires of a general nature or relating to the status of this application should be directed to the TC2100 Group Receptionist (571) 272-2100.

mailed to: Commissioner of Patents and Trademarks
P.O. Box 1450, Alexandria, VA 22313-1450

or faxed to: (571) 273-8300

Hand-delivered responses should be brought to the Customer Service Window, Randolph Building, 401 Dulany Street, Alexandria, VA, 22314.

Date: 21-August-2006



RUSSELL FREJD
PRIMARY EXAMINER